

into the State of Washington, of a quantity of canned salmon which was adulterated. The article was labeled in part: (Can) "Blanchard Brand Alaska Pink Salmon Packed By Beauclaire Packing Co. Port Beauclerc, Alaska."

Examination by the Bureau of Chemistry of this department of 576 cans taken from the consignment showed that 63 cans, or 10.9 per cent, were decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.

On April 6, 1925, a plea of guilty to the information was entered on behalf of the defendant companies, and the court imposed a fine of \$50.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13308. Misbranding of canned corn. U. S. v. 200 Cases of Corn. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19916. I. S. No. 15619-v. S. No. E-3949.)

On March 20, 1925, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 200 cases of corn, remaining in the original unbroken packages at Buffalo, N. Y., consigned by the New Vienna Canning Co., New Vienna, Ohio, alleging that the article had been shipped by the * * * Canning Co., from New Vienna, Ohio, November 28, 1924, and transported from the State of Ohio into the State of New York, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Nun-so-good Brand Evergreen Sugar Corn Contents 1 Lb. 4 Oz. Packed By New Vienna Canning Co. New Vienna, Ohio."

Misbranding of the article was alleged in the libel for the reason that the statement "Contents 1 Lb. 4 Oz.," appearing in the labeling, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 21, 1925, the New Vienna Canning Co., New Vienna, Ohio, having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, for repacking, relabeling, use, and disposition pursuant to the law and under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13309. Adulteration of shell eggs. U. S. v. George W. Robertson (W. H. Hicks & Co.). Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 18360. I. S. No. 4589-v.)

On May 27, 1924, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George W. Robertson, trading as W. H. Hicks & Co., Bristol, Tenn., alleging shipment by said defendant, under the name of S. M. Porter Produce Co., in violation of the food and drugs act, on or about August 14, 1923, from the State of Tennessee into the State of Virginia, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 540 eggs from the consignment showed that 68 eggs, or 12.59 per cent of those examined, were inedible, consisting of black rots, mixed rots, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.

On March 9, 1925, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13310. Adulteration of butter. U. S. v. 26 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 19872. I. S. No. 23142-v. S. No. C-4664.)

On February 20, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel praying the seizure and condemnation of 26 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Nelson Creamery Co., from Nelson, Wis., February 14, 1925, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom, and for the further reason that it contained less than 80 per cent of butterfat.

On March 6, 1925, the Nelson Creamery Co., Nelson, Wis., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department, so as to contain not less than 80 per cent of butterfat.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13311. Adulteration of canned salmon. U. S. v. 145 Cases, et al., of Canned Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18927, 18928, 18941. I. S. Nos. 7770-v, 7771-v, 7772-v, 20227-v. S. Nos. W-1564, W-1565, W-1571.)

On August 26 and September 4, 1924, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 632 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Year Round (Alaska Year Round Canneries Co., Inc.) and the Cook Inlet Packing Co., from Seldovia, Alaska, in part July 22, 1924, and in part July 29, 1924, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On February 2 and 7, 1925, respectively, the Alaska Year Round Canneries Co., Inc., and the Cook Inlet Packing Co., Seldovia, Alaska, claimants, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,310, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision of this department and the bad portion destroyed.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13312. Adulteration and misbranding of jellies. U. S. v. 9 Pails of Blackberry Jelly, et al. Consent decree of condemnation and forfeiture. Products released under bond to be relabeled. (F. & D. No. 19577. I. S. Nos. 20297-v, 20994-v. S. No. W-1630.)

On or about February 11, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 90 pails of jellies, remaining in the original unbroken packages at Seattle, Wash., alleging that the articles had been shipped by the H. C. Long Syrup Co., from San Francisco, Calif., August 28, 1924, and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act as amended. The articles were labeled in part: "Net Weight 30 Pounds Economy (Compound) Jelly Strawberry" (or "Currant" or "Blackberry") "Flavor * * * Artificially Colored and Flavored. The contents of this package are composed of Corn Syrup and Apple Juice, Alum and Dilute Sulphuric Acid."